

Appl. No. 09/646,043

SMALL ENTITY DECLARATION

APPLICANT OR PATENTEE HAKALEHTO, Eino Elias ATTORNEY'S
 SERIAL NO. PCT/FI99/00192 ☐ PATENT NO. _____ DOCKET No. 933-162P
 FILED OR ISSUED _____
 FOR METHOD FOR DETECTING MICROBES FROM AN ENRICHMENT CULTURE

I (we) hereby declare that I (we) am (are) entitled to the benefit of small entity status with respect to the above-identified application or patent for purposes of paying reduced fees under 35 USC 41(a) & (b) to the U.S. Patent and Trademark Office.

☒ A. INDEPENDENT INVENTOR

I (we) qualify as a(n) independent inventor(s) as defined in 37 CFR 1.9(c).

☐ INDIVIDUAL NON-INVENTOR

I would qualify as an independent inventor as defined in 37 CFR 1.9(c) if I had made the invention.

☐ SMALL BUSINESS CONCERN

I am ☐ THE OWNER ☐ AN OFFICIAL of the small business concern identified below and am empowered to act on behalf of the concern. The concern qualifies under 37 CFR 1.9(d) and 13 CFR 121.3-18. Rights under contract or law have been conveyed to and remain with the concern and are exclusive unless a checkmark is placed here ☐ and another Declaration on behalf of another entity is filed herewith.

☐ NON-PROFIT ORGANIZATION

I am an official empowered to act on behalf of the non-profit organization identified below. The organization qualifies under 37 CFR 1.9(e), sub-section: ☐ (1) ☐ (2) ☐ (3) ☐ (4). Rights under contract or law have been conveyed to and remain with the organization and are exclusive unless a checkmark is placed here ☐ and another Declaration on behalf of another entity is filed herewith.

I (we) acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I (we) hereby declare that all statements made herein of my (our) own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

A. INDEPENDENT INVENTOR(S)

B. INDIVIDUAL NON-INVENTOR(S)

HAKALEHTO, Eino Elias
 Name of Inventor

Signature

21.09.2000
 Date

Name of Inventor

Signature

Date

Name of Inventor

Signature

Date

C. BUSINESS CONCERN

D. NON-PROFIT ORGANIZATION

Name of Concern or Organization

Address

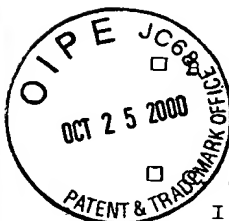
By

Name of Person Signing

Signature

Title

Date



005207-24091960

BIRCH, STEWART, KOLASCH & BIRCH, LLP

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ATTORNEY DOCKET NO.
933-162P

PLEASE NOTE:
YOU MUST
COMPLETE THE
FOLLOWING:

COMBINED DECLARATION AND POWER OF ATTORNEY FOR PATENT AND DESIGN APPLICATIONS

As a below named inventor, I hereby declare that: my residence, post office address and citizenship are as stated next to my name; that I verily believe that I am the original, first and sole inventor (if only one inventor is named below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Insert Title:

METHOD FOR DETECTING MICROBES FROM AN ENRICHMENT CULTURE

the specification of which is attached hereto. If not attached hereto,

Fill in Appropriate
Information —
For Use
Without
Specification
Attached:

the specification was filed on _____ as
United States Application Number _____ ;
and amended on _____ (if applicable); and/or
the specification was filed on March 15, 1999 as PCT
International Application Number PCT/FI99/00192 ; and was
amended under PCT Article 19 on _____ (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I do not know and do not believe the same was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months (six months for designs) prior to this application, and that no application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America prior to this application by me or my legal representatives or assigns, except as follows.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 (a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Insert Priority
Information:
(if appropriate)

(Number)	(Country)	(Month / Day / Year Filed)	Priority Claimed
<u>980571</u>	<u>Finland</u>	<u>3/13/1998</u>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
____	____	____	<input type="checkbox"/> Yes <input type="checkbox"/> No
____	____	____	<input type="checkbox"/> Yes <input type="checkbox"/> No
____	____	____	<input type="checkbox"/> Yes <input type="checkbox"/> No

Insert Provisional
Application(s):
(if any)

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below.

(Application Number)	(Filing Date)
____	____
____	____

All Foreign Applications, if any, for any Patent or Inventor's Certificate Filed More than 12 Months (6 Months for Designs) Prior to the Filing Date of This Application:

Insert Requested
Information:
(if appropriate)

Country	Application Number	Date of Filing (Month / Day / Year)
____	____	____
____	____	____

I hereby claim the benefit under Title 35, United States Code, §120 of any United States and/or PCT application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States and/or PCT application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Insert Prior U.S.
Application(s):
(if any)

(Application Number)	(Filing Date)	(Status — patented, pending, abandoned)
____	____	____
____	____	____

I hereby appoint the following attorneys to prosecute this application and in international application based on this application and to transact all business in the Patent and Trademark Office connected herewith and in connection with the resulting patent based on instructions received from the entity who first sent the application papers to the attorneys identified below, unless the inventor(s) or assignee provides said attorneys with a written notice to the contrary:

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**PLEASE NOTE:
 YOU MUST
 COMPLETE
 THE
 FOLLOWING:**

- Full Name of First or Sole Inventor: Insert Name of Inventor →
- Insert Date This Document is Signed →
- Insert Residence →
- Insert Citizenship →
- Insert Post Office Address →
- Full Name of Second Inventor, if any: see above

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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Residence (City, State & Country)			CITIZENSHIP
POST OFFICE ADDRESS (Complete Street Address including City, State & Country)			

Full Name of Fourth Inventor, if any: see above

Full Name of Fifth Inventor, if any: see above

* DATE OF SIGNATURE